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IMMIGRATION AND THE MINIMUM WAGE

By PAUL U. KELLOGG,
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The line of least resistance in extending the protection of the state over labor conditions has been to enact laws with respect to women and children. The world-old instinct of the strong to shelter the weak has led the conservative to join forces with the radical, in prohibiting child labor and in shortening the hours of women's work. On the other hand the liberty loving tradition of a male democracy has more often than not thrown the balance on the other side of the scale when the exercise of public control over men's labor has been under discussion.

This tendency has been repeated in the movement toward minimum wage legislation. The voluntary Massachusetts law which goes into effect this year concerns women and children; and so, too, does the compulsory statute which has just passed the Oregon legislature. Public discussion the past winter has centered around the relation between the low wages paid working-girls and prostitution.

Accident legislation is an exception to this tendency in the field of labor legislation. We do not think of limiting compensation laws to the girls who lose an eye or a hand; we are perhaps even more concerned that industry bear its human wear and tear when working-men are crippled or their lives snuffed out. The explanation is, of course, a simple one; in this connection we conceive of the working-man as the breadwinner of a family group; and in self-protection American commonwealths are belatedly devising schemes of insurance which will safeguard those dependent upon him.

As we come to look at the problem of living wages more closely, my belief is that legislatures and courts will increasingly take cognizance of the household and community well-being which hangs on the earnings of men. It is this aspect which makes the question of the minimum wage as it concerns common labor—and as it is aggravated by immigration—if anything, more serious than the question of the minimum wage as it concerns women.

During the past month we have seen whole cities scotched by the floods. Our self-engrossed neglect of the water courses of the mid-western basin, the encroachments of private holdings upon the beds of streams, and the persistent stripping of their woodsy sources have brought a retribution. The nation leaps to tardy relief as the waters burst the dams, strangle men and women and swamp the cities in their course. Dwellings go under before men's eyes and whole communities which have taken their security for granted see store and street and familiar meeting place sunk in currents over which they have lost control. It has all been spectacular and vivid. The laws of gravitation and of fluids, the "Mene, Mene, Tekel" of narrow private ends and of public preoccupation have been written large in mud and privation. Misery has daubed its lesson up and down the river valleys for all men to read.

The economic ebb and flood of our common life has usually no such spectacular appeal to the imagination; yet, if we turn to the forty volumes of the federal immigration commission—volumes which, seemingly, Congress has done its best to keep from general reading—we find a story of household wreckage and of the slow undermining of community life as real as this seven days' wonder of the Ohio Valley. They show us that in the states east of the Rocky Mountains the basic industries are today manned by foreigners three to two; that there are as many names on these pay-rolls from eastern Europe and Asia as there are names of native born and second generation Americans put together. They do not show that the new immigrants have hired out as common laborers for less pay than the old did in their time, for the revolutionary rise in prices throughout the period under discussion must be taken into account. But they go far to show that the newcomers have at least kept down wages and have perpetuated other standards against which the older men were ready to protest. Of the heads of foreign households tabulated by the commission, seven out of ten earned less than \$600 a year, while among the native born the proportion was only four out of ten. Of the foreigners very nearly four out of ten earned under \$400 a year, or an average, this last year of less than \$1.50 per working day. In less than four out of ten of the foreign born households were the husband's earnings depended upon as the sole source of family income.

In a word, the immigration commission's report was an extensive exhibit that the American day laborer's pay is less than a living wage for a workman's family by any standard set by any reputable investigation of the cost of living; that the bulk of day laborers are immigrants; that their numbers and industrial insecurity are such as to perpetuate these low pay levels and to introduce and make prevalent lower standards of living than customary among the workmen they come among.

The commission's figures are such as to give strength to the searching charge of the immigration restrictionists that "so long as every rise of wages operates merely to suck in unlimited thousands of the surplus population of Europe and Asia, no permanent raising of our own standards can be hoped for."

Nine out of ten of the common laborers of America are today of the new immigration. A light is thrown on why they lend themselves to exploitation by the facts that before coming only a third of these eastern Europeans and Asians can read and write; that half are peasants and farm hands; that only an eighth are labor unionists and that nearly a fifth have never in their lives worked at wages. Neither in literacy, industrial skill, money-wisdom, nor cohesive strength are they as self-resourceful as the men of the immigration which preceded them, much less of the native born. More important to my mind than the fact that before coming a third are unlettered, is the fact that nearly a fifth have never worked for wages before coming.

We have assumed that the economic law of supply and demand would bring a wholesome equilibrium to this inrush of the terrible meek. As well count on the law of gravitation to solve the flood problem of the Miami. That law is, to be sure, the ultimate rule of physics on which any scheme of flood prevention must be based. Water is health giving, thirst quenching, power giving, beneficial; gravity holds the world to its course; but left to their own devices water and mass attraction may become brute forces for destruction. So, too, the unregulated forces of an economic immigration.

Let us consider some of the social reactions which these forces, left to their own devices, have exacted.

They have changed the make-up of entire communities among us. During the Westmoreland coal strike, whole villages of miners were evicted with their families from the company houses and new miners

installed. But what happened thus overtly in strike time has been going on slowly and half-noticed throughout western Pennsylvania for twenty years. The function of the old pick miners has been largely done away with. With the coming in of new methods and mine machinery, their labor organizations have been driven out, and they, themselves, have left the Connellsville region for the new fields of the middle west and southwest, where the pressure of competition by recent immigrants is not so strong. Churches, lodges, the whole slow growing fabric of English speaking community life, have been supplanted by a new order. And not only have the immigrants dislodged the earlier races from their footing, but their own industrial tenure is insecure. Dwellers in company houses, whole communities, live by sufferance of the mine operators who can call in new greeners to take their places.

The effect on household life has been as disturbing as that upon community life. At these low economic grades people live on the boarding boss system, one woman cooking, washing and keeping house for from two to twenty lodgers who sometimes sleep two shifts to a bed.

It might be thought that the immigrants' desire to save is responsible for these results. In part that is true. As the Pittsburgh survey pointed out, a single man can lay by a stocking full at this barracks life; a boarding boss can get ahead at cost of a dead baby or two, or his wife's health; a whole family can eat, sleep and live in a single room; but the foreigner who takes America in earnest and tries to settle here and support a family, must figure closer than our wisest standard of living experts have been able to do, if he succeeds in making good on a day labor wage. The Buffalo survey found \$1.50 as the common labor rate in that city in 1910. The maximum income which a common laborer can earn working every day but Sundays and holidays at \$1.50 per day is \$450 a year; bad weather, slack work and sickness, cut this down to \$400 for a steady worker. Yet the lowest budget for a man, his wife and three children which Buffalo relief workers would tolerate was \$560. There is a deficit here of \$160 which must be made up by skimping or by income from other sources, and that deficit is as much as the man himself can earn by four months' solid labor. Yet this budget called for but three small rooms, for five people to sleep, eat and live in; called for but 5 cents a week for each one of the family for recreation and extravagance.

How people make shift against such odds was illustrated by one household where in a little room 6 feet by 9, a room which had no window at all to let in air, they found two cots each with a man in it, and a bed which held two young men and two girls, one of whom was thirteen years old. This was not a house of prostitution. It was a family which had taken in lodgers to increase its income.

Household and community life are further affected by the infiltration of women-employing trades in centers of immigrant employment; and with it the spread of the family wage, not the family wage earned by the man, but the family wage earned by man, woman and children all together, such as is the curse of Fall River and the cotton towns of Massachusetts.

The New York bureau of labor statistics has just issued its report on the Little Falls strike, the first adequate pay-roll investigation ever made in New York at the time of a strike against a reduction in wages. Nearly half of the men were found to be receiving \$9 a week or less. Nearly 24 per cent were receiving not over \$7.50 per week; $48\frac{1}{2}$ per cent of all the women employed were receiving \$7.50 or less and 30 per cent received \$6 or less. The official figures taken from the pay-rolls by the bureau of labor statistics tended to justify substantially what the strikers had alleged as to their wages. The testimony of the employers before the bureau of arbitration that the wages paid in Little Falls were not less than those paid in other mills in the district indicates that here is a problem not of one locality alone. "The one outstanding and unavoidable conclusion of this report," says the bureau of labor statistics, "is that there is need of a thorough and general investigation of the cost of living among the textile workers of the Mohawk Valley."

This trend toward the family wage is a matter of much concern to the state of Pennsylvania in the years ahead, with the coming of textile mills to the coal regions, and with the widespread development of the state's water power. I was told at the time of the strike in the railroad shops at Altoona—it may be hearsay, but there was truth in the underlying tendency—that in the councils of the local Chamber of Commerce the Pennsylvania Railroad had been averse to inducing any metal trades establishments to settle in Altoona. The reason ascribed by my informant was that these establishments would have competed as employers in hiring mechanics and the men's wages would have gone up locally. But invitation to textile mills was

encouraged—textile mills which would employ wives and daughters and increase family incomes while lessening the tuggings at the car shop pay-roll.

Let me cite a case brought out last year at a hearing before the New Jersey immigration commission. This was an account book of a methodical German weaver in a Passaic woolen mill. It illustrates the soil in which the revolutionary labor movement is taking root so fast and which the sanctioned institutions of society, in more than this solitary instance, have failed to conserve. The man is forty-five years old, a weaver of twenty-seven years' experience, and his expertness as a workman is, it was said, shown by the fact that he had seldom or never been fined for flaws in his work—one of the grievances most keenly felt by a majority of the strikers. The record showed a total income of \$347.40 for nine months. And a careful estimate put the annual earnings on which this father of thirteen—three now “under the ground,” three now old enough to work—could count upon from his own efforts in bringing up his family, as less than \$500.

The record revealed much else, good and bad, besides this blighting total. In the first place it showed the seasons. Except in bad years the woolen trade is said to have no period of shut down. But July and August are slack months and the short hours worked flattened out his pay envelopes for weeks at a time. Settlement and charity organization workers know that there is nothing that tends toward demoralization in a family like an unsteady income—up and down. No pay at all was received by this weaver for the week of June 12 (fifty-five hours' work). His explanation was that some wool is bad and requires constant mending, keeping the output low, that pay was strictly based on the number of yards turned out, and that no payments were made until a certain quantity was on hand. This no-pay week was followed by a low pay week of June 19. That is, after two weeks' work amounting to 110 hours at the looms, with practically no fines for flaws, a weaver of twenty-seven years' experience took home \$6.65. It is this sort of pressure which sends the women and children of a household to the mills.

We may differ as to the desirability of the entry of women into industry, and as to its effect on the women and on the home; but we should be united in holding that if the women go into the world's work, their earnings should lift the joint income to new and higher

levels, and not merely supplement the less than family wage paid the man; add two and two, only to find that the resulting sum is two.

It is to be said for this onrush of international workmen that they have supplied a flexible working force to American manufacture and have stimulated industrial expansion beyond all bounds. But against these gains must be set off the fact that they have as powerfully accentuated city congestion and all its attendant evils, and have aggravated unemployment. The immigration commission found that in some industries the oversupply of unskilled labor had reached a point where a curtailed number of working days results in a yearly income much less than is indicated by the daily rate paid.

A more serious aspect of the situation is that changes in machinery are adapted to the permanent utilization of these great masses of crude labor—60 per cent of the whole force in steel production for example. The old time ditch diggers and railroad construction gangs paved the way for our city trades and train crews. They were building foundations for normal work and life. They appealed to the get ahead qualities in men. The new day labor is a fixed, sub-normal element in our present scheme of production; it stays; it will continue to stay so long as back muscles are cheaper than other methods of doing the work.

My own feeling is that immigrants bring us ideals, cultures, red blood, which are an asset for America or would be if we gave them a chance. But what is undesirable, beyond all peradventure, is our great bottom-lands of quick-cash, low-income employments in which they are bogged. We suffer not because the immigrant comes with a cultural deficit, but because the immigrant workman brings to America a potential economic surplus above a single man's wants, which is exploited to the grave and unmeasured injury of family and community life among us.

I have reviewed the situation much along the lines in which it impressed me two years ago, at a time that the immigration report was first given to the public. What have we done about it in those two years—or for that matter, in the last decade?

What have we Americans done? I am afraid the cartoonist of the future is going to have good cause to draw the present day manufacturer pleading with one hand for federal interference against his foreign competitors, and with the other beckoning to the police to protect him against strike riots; but resisting with both hands every

effort of the public to exert any control whatever over his own dealings with his work people. Petty magistrates and police, state militia and the courts—all these were brought to bear by the great commonwealth of Massachusetts, once the Lawrence strikers threatened the public peace. But what had the great commonwealth of Massachusetts done to protect the people of Lawrence against the insidious canker of subnormal wages which were and are blighting family life? Do not mistake me: The exceptional employer has done courageous acts in standing out for decent wages in the face of competition from those who are not squeemish in their treatment of their help; but employers as a body have quite failed to impose minimum standards on the whole employing group; and the exploiters have brought whole trades into obloquy.

Nor have the trade unions met any large responsibility toward unskilled labor. Through apprenticeship, skill, organization, they have endeavored to keep their own heads above the general level. Common labor has been left as the hindmost for the devil to take. The mine workers and brewers and some few other trades are organized industrially from top to bottom, every man in the industry; but for the most part common laborers have had to look elsewhere than to the skilled crafts for succor.

They have had it held out to them by the I. W. W., which stands for industrial organization, for one big union embracing every man in the industry, for the mass strike, for benefits to the rank and file here and now, and not in some far away political upheaval. This is what has given the revolutionary industrialists their popular appeal, so disturbing both to the old craft unions and the socialist party. We may or may not like the temper of Mrs. Pankhurst's methods, but we recognize the suffrage cause as something which transcends the tactics of the militants. In the same way it can be said for Haywood and his following that they have sounded the needs of common labor and held up hope for its rank and file with greater statesmanship, sympathy and structural vision than all the employers and craft unions put together. At such a juncture the ordinary American may well ask himself if a general upheaval of society is the sole way open in which the evils of unskilled, low paid labor can be mastered by a resourceful people.

The only recent schemes of trade organization which match the I. W. W. in democratic promise are the protocol agreements in the

women's garment trades in New York. These are open to all workmen in the trades; they stand for minimum standards, and they employ the joint force of organized employers and organized employees, to whip the black-sheep shop into line. Yet as I see it, here again the pressure of immigration is a twofold threat to the permanence of these plans—the competition with New York by outside garment centers where immigrants can be exploited without let or hindrance; and the retardation of wage advances at New York due to the glut of immigrant labor at the great port.

So much for voluntary action. What has the state done to throw social control over common labor? Very little. Child labor legislation staves off a season or two the inflow of immature workers into the unskilled labor market. Laws prohibiting the night work of women have eased the sex-competition for jobs at some few points. As already stated, minimum wage legislation has been limited to date to women and children. When by indirection the new 54 hour law for women tended to raise pay 1/26 for both men and women in the mills of Lawrence, the manufacturers risked the great strike rather than raise it. Political advantage has led city administrations to pay common labor more than private employers, but in general the public has done nothing to control the wages of common labor.

The measure calculated to affect them most markedly has been the immigration restriction legislation which passed both houses of Congress at the last session, but which was vetoed by the President.

The immigrant commission held that to check the oversupply of unskilled labor a sufficient number of immigrants should be debarred to produce a marked effect. This was their major recommendation and as the most feasible method to carry it out they favored the exclusion of all those unable to read and write some language.

As a quantitative check this literacy test can be successfully defended. It will unquestionably shut out large numbers of immigrants and that reduction in the gross number of job-hunters could scarcely fail to raise common labor pay and improve conditions of life at the lowest levels.

As a selective method the literacy test has been sharply and I think successfully challenged. The people let in and those shut out could not be confidently described, the one group as desirable, the other as not.

As an obstruction to the political and religious refugees, who in addition to their other oppressions have been deprived of schooling, the literacy test arouses the opposition of social and liberty loving groups on all hands. On this rock restriction legislation split in the last Congress, as it has split for years past.

In its failure, in the failure of any other proposal to materially improve common labor standards I venture to put forward a plan,¹ which has not been combated in any quarter in ways convincing to me either as to its illogic or its impracticability.

My plea is to apply the principle of child labor legislation to our industrial immigration—to draft into our immigration law the provision that no immigrant who arrives here after a specified date shall be permitted to hire out to a corporate employer for less than a living wage—say \$2.50 or \$3 a day—until five years are elapsed and he has become a naturalized citizen. When he is a voter, he can sell his American work-right for a song if he must and will, but until then he shall not barter it away for less than the minimum cash price, which shall be determined as a subsistence basis for American family livelihood. I would make this provision apply also to all immigrants now resident in the United States who have not filed notice of their intention of becoming citizens by the date specified.

It would not be the intent or result of such legislation to pay new coming foreigners \$3 a day. No corporation would hire Angelo Lucca and Alexis Spivak for \$3 as long as they could get John Smith and Michael Murphy and Carl Sneider for less. It would be the intent and result of such legislation to exclude Lucca and Spivak and other “greeners” from our congregate industries, which beckon to them now. It would leave village and farming country open to them as now. And meanwhile as the available unskilled labor supply fell off in our factory centers, the wages paid Smith, Murphy, Sneider and the rest of our resident unskilled labor would creep up toward the federal minimum.

First a word as to the constitutionality of such a plan. It would be an interference with the freedom of contract; but that contract would lie between an alien and a corporation; between a non-citizen and a creature of the state. I have the advice of constitutional

¹This proposal was first made in *The Survey* for January 3, 1911, and later, before a meeting of the National Conference of Charities and Correction at Boston, 1911.

lawyers that so far as the alien workman goes, the plan would hold as an extension of our laws regulating immigration. On the other hand, the corporation tax laws afford a precedent for setting off the corporate employer and regulating his dealings. Recent decisions of the supreme court would seem to make it clear that such a law could be drafted under the interstate commerce clause of the constitution.

For three special reasons my belief is that the general enforcement of such a law would be comparatively simple. Sworn statements as to wage payments could be added to the data now required from corporations under the federal tax law. This would be an end desirable in itself and of as great public importance as crop reports. In the second place, every resident worker would report every violation that affected his self-interest or threatened his job. For my third reason, I would turn to no less a counsel than Mark Twain's "Pudd'n Head Wilson," and with employment report cards and half a dozen clerks in a central office in Washington, could keep tab on the whole situation by means of finger prints. Finger prints could be taken of each immigrant on entry; they could be duplicated at mill gate and mine entry by the employer, filed and compared rapidly at the Washington bureau.

As compared with joint minimum wage boards affecting men and women alike, as do those of Australia and England, the plan would have the disadvantage of not being democratic. The workers themselves would not take part in its administration. But such boards might well develop among resident unskilled labor, once the congestion of immigrant labor was relieved. And the plan would have the signal advantage of being national, so that progressive commonwealths need not penalize their manufacturers in competing with laggard states.

As compared with the literacy test the plan would not shut America off as a haven of refuge and would not, while it was under discussion, range the racial societies and the internationalists alongside the steamship companies and the exploiters of immigrant labor. And it would have an even more profound influence on our conditions of life and labor.

What then are the positive goods to be expected from such a program?

1. It would, to my mind, gradually but irresistibly cut down the common labor supply in our industrial centers.

2. Once the unlimited supply of green labor was lessened in these industrial centers, a new and more normal equilibrium would be struck between common labor and the wages of common labor. Now it is like selling potatoes when everybody's bin is full.

3. It would tend to stave off further congestion in the centers of industrial employment and give us a breathing spell to conquer our housing problems and seat our school children.

4. It would shunt increasing numbers of immigrants to the rural districts and stimulate patriotic societies to settle their fellow-countrymen on the land.

5. It would tend to cut down the accident rate in industries where greeners endanger the lives of their fellows.

6. It would cut down the crowd of men waiting for jobs at mill gate and street corner, correspondingly spread out rush and seasonal work, and help along toward that time when a man's vocation will mean a year long income for him.

7. It would give resident labor in the cities a chance to organize at the lower levels and develop the discipline of self-government instead of mob action.

8. It would put a new and constructive pressure on employers to cut down by invention the bulk of unskilled occupations, the most wasteful and humanly destructive of all work.

9. It would bring about a fair living, a household wage, in such routine and semi-skilled occupations as remained.

10. It would tend to change mining settlements and mill towns from sleeping and feeding quarters into communities.